

(c) The professional archaeologist and the skeletal analyst shall submit a proposal to the ~~Chief State~~ Archaeologist within the 90-day period set forth in G.S. 70-32(c) and 70-33(b), including:

- (1) Methodology and techniques to be utilized;
- (2) Research objectives;
- (3) Proposed time schedule for completion of the analysis; and
- (4) Proposed time intervals for written progress reports and the final report to be submitted.

(d) If the terms of the written agreement are not substantially met, the Executive Director or the next of kin, after consultation with the ~~Chief State~~ Archaeologist, may take possession of the skeletal remains. In such case, the ~~Chief State~~ Archaeologist may ensure that appropriate skeletal analysis is conducted by another qualified skeletal analyst prior to ultimate disposition of the skeletal remains."

SECTION 10.(h) G.S. 70-35(c) reads as rewritten:

"(c) If the ~~Chief State~~ Archaeologist has received no information or communication concerning the identity or next of kin of the deceased, the skeletal remains shall be transferred to the ~~Chief State~~ Archaeologist and permanently curated according to standard museum procedures after adequate skeletal analysis."

SECTION 10.(i) G.S. 70-48(5) reads as rewritten:

"(5) "State Archaeologist" means the head of the Office of State Archaeology section ~~Archaeology Section~~ of the Office of Archives and History, Department of Cultural Resources."

SECTION 10.(j) This section is effective on and after October 11, 2002.

SECTION 11.(a) G.S. 70-27(b) reads as rewritten:

"(b) The purpose of this Article is (i) to provide adequate protection from vandalism for unmarked human burials and human skeletal remains, (ii) to provide adequate protection for unmarked human burials and human skeletal remains not within the jurisdiction of the medical examiner pursuant to ~~G.S. 130-198~~ G.S. 130A-383 that are encountered during archaeological excavation, construction, or other ground disturbing activities, found anywhere within the State except on federal land, and (iii) to provide for adequate skeletal analysis of remains removed or excavated from unmarked human burials if the analysis would result in valuable scientific information."

SECTION 11.(b) G.S. 70-30, as amended by Section 10(c) of this act, reads as rewritten:

"§ 70-30. Jurisdiction over remains.

(a) Subsequent to notification of the discovery of an unmarked human burial or human skeletal remains, the medical examiner of the county in which the remains were encountered shall determine as soon as possible whether the remains are subject to the provisions of ~~G.S. 130-198~~ G.S. 130A-383.

(b) If the county medical examiner determines that the remains are subject to the provisions of ~~G.S. 130-198~~, ~~he~~ G.S. 130A-383, the county medical examiner will immediately proceed with ~~his~~ the investigation.

(c) If the county medical examiner determines that the remains are not subject to the provisions of ~~G.S. 130-198~~, ~~he~~ G.S. 130A-383, the county medical examiner shall so notify the Chief Medical Examiner. The Chief Medical Examiner shall notify the State Archaeologist of the discovery of the human skeletal remains and the findings of the county medical examiner. The State Archaeologist shall immediately take charge of the remains.